

Remarks/Arguments

Applicant respectfully requests that Examiner reconsider the Application in view of the remarks below.

Disposition of Claims

Claims 1-3, 6-11 and 13-16 are rejected. Claims 9-11 and 13-16 are canceled. Claims 1-3 and 6-8 remain pending.

Rejections under 35 U.S.C. §103

Claims 1-3 and 6-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Bratz (US2002/0120728 A1) in view of Tagami (US 4,484,284). Applicant traverses the rejections.

Specifically, the Office Action of March 12, 2004 (the “Office Action”) cites (i) Bratz for monitoring, recording and graphically displaying trip data and geographic position, periodically and (ii) Tagami for monitoring, recording and graphically displaying trip data and geographic position, on the occurrence of a trip event. The Office Action then suggests that it would have been obvious to one skilled in the art to combine the disclosures of Bratz and Tagami to produce the invention in the present Application.

Applicant notes, as background, that the invention of this Application monitors and records many different types of trip data (e.g., speed, fuel consumption and engine revolutions per minute, Application Summary) on the occurrence of many different types of predetermined trip events (e.g., speed and engine revolutions per minute thresholds). These different types of trip data are not used to determine geographic position but are valuable in their own right. Tagami, on the other hand, discloses the monitoring and recording of one, and only one, type of trip data (“current azimuthal deviation,” Abstract) on the occurrence of one, and only one, type of predetermined trip event “unit distance of travel,” (column 4, line 40). This specific type of trip data is used only for determining geographic position.

More specifically, the present invention also graphically displays many different types of trip data recorded on the occurrence of one of many different types of predetermined trip events.

Tagami, on the other hand, geographically displays only the geographic position over time of the vehicle (column 5, lines 3-18) or, at most, additional information derived from the geographic position over time of the vehicle (time of travel or total distance traveled) (column 5, lines 19-31).

Therefore, the only trip data monitored and recorded by the invention disclosed in Tagami is used to determine geographic position and the only trip data graphically displayed in Tagami is derived from geographic position. Thus, Tagami teaches away from monitoring, recording and graphically displaying trip data unrelated to geographic position (e.g., speed, fuel consumption, and engine revolutions per minute, Application Summary), which are the basis of the invention in the present Application.

Moreover, the Office Action suggests in a conclusory manner that it would have been obvious to one skilled in the art not only to combine the disclosure of Bratz and Tagami for monitoring, recording and graphically displaying trip data and geographic position obtained both periodically and on the occurrence of a trip event but also graphically to display such trip data and geographic position differently if they result from a periodic event or a trip event. The Office Action does not suggest why the periodic recording of Bratz and the trip event recording of Tagami should be combined much less why they should be combined but have the graphical display of the periodically recorded trip data and geographic position of Bratz displayed graphically differently than the trip data and geographic position recorded on the occurrence of a trip event of Tagami. Because there is no motivation to combine Bratz and Tagami in this manner, Applicant submits that the Office Action has failed to establish a *prima facie* case of obviousness.

Claims 2-3 and 6-8 are rejected as being unpatentable over Bratz in view of Tagami for additional reasons cited in the Office Action. Applicant traverses these rejections. Applicant respectfully submits claims 2-3 and 6-8, which are dependent on claim 1, are allowable as claims dependent on an allowable independent claim are also allowable.

Claims 9-11 and 13-16 are hereby canceled.

Conclusion

The claims have been shown to be allowable over the prior art. Applicant believes that this paper is responsive to the grounds of rejection cited by the Examiner in the Action dated March 12, 2004, and respectfully requests favorable action in this Application. The examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

The applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for reply to the Office action dated March 12, 2004 for two months. Please charge deposit account number 04-0932 (Reference Number 11621/53970 in the amount of \$210 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

Respectfully submitted,

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